

UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

CHAIRMAN:

Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

MEMBERS:

Judge John F. Keenan
United States District Court
Southern District of New York

Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Judge Kathryn H. Vratil
United States District Court
District of Kansas

Judge David R. Hansen
United States Court of Appeals
Eighth Circuit

DIRECT REPLY TO:

Michael J. Beck
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20002

Telephone: [202] 502-2800
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<http://www.jpml.uscourts.gov>

October 21, 2005

FILED
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OCT 25 2005

Bruce Rifkin, Clerk
U.S. Courthouse
700 Stewart Street
Seattle, WA 98101

SEATTLE
CLERK OF U.S. DISTRICT COURT
WEST-1000 2ND AVENUE
SUITE 1000
SEATTLE, WA 98101

Re: MDL-1407 -- In re Phenylpropanolamine (PPA) Products Liability Litigation

Wanda Burkhead v. Bayer Corp., E.D. Missouri, C.A. No. 4:05-865

Janice Townsend v. Block Drug Co., Inc., S.D. Mississippi, C.A. No. 3:03-1226

Roseann Stegel, et al. v. Novartis Consumer Health, Inc., et al., E.D. Pennsylvania, C.A. No. 2:05-4510

Dear Mr. Rifkin:

I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on October 5, 2005. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Michael J. Beck
Clerk of the Panel

By


Deputy Clerk

Attachment

cc: Transferee Judge: Judge Barbara Jacobs Rothstein
Transferor Judges: Judge Henry E. Autry; Judge Cynthia M. Rufe; Judge Henry T. Wingate
Transferor Clerks: J.T. Noblin; James Woodward; Michael E. Kunz

A CERTIFIED TRUE COPY

OCT 21 2005

ATTEST
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

DOCKET NO. 1407

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

OCT - 5 2005

FILED
CLERK'S OFFICE

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

**IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY
LITIGATION**

Wanda Burkhead v. Bayer Corp., E.D. Missouri, C.A. No. 4:05-865

Janice Townsend v. Block Drug Co., Inc., S.D. Mississippi, C.A. No. 3:03-1226

Roseann Siegel, et al. v. Novartis Consumer Health, Inc., et al., E.D. Pennsylvania,
C.A. No. 2:05-4510

~~*Victor Gomez v. Bayer Corp., et al.*, S.D. Texas, C.A. No. 7:05-311~~ opposed 10-13-05

CONDITIONAL TRANSFER ORDER (CTO-74)

On August 28, 2001, the Panel transferred eight civil actions to the United States District Court for the Western District of Washington for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 1,801 additional actions have been transferred to the Western District of Washington. With the consent of that court, all such actions have been assigned to the Honorable Barbara Jacobs Rothstein.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Western District of Washington and assigned to Judge Rothstein.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Western District of Washington for the reasons stated in the order of August 28, 2001, 173 F.Supp.2d 1377 (J.P.M.L. 2001), and, with the consent of that court, assigned to the Honorable Barbara Jacobs Rothstein.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Western District of Washington. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

OCT 21 2005

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:

Michael J. Beck

Michael J. Beck
Clerk of the Panel